

REMARKS/ARGUMENTS

These Remarks are responsive to the Office Action mailed March 9, 2003 (the "Office Action"). Applicant respectfully requests reconsideration of the claim rejections for at least the reasons set forth below.

STATUS OF THE CLAIMS

Claims 1-20 are pending in the application.

AMENDMENTS TO THE CLAIMS

Claims 1 and 11 have been amended to recite that the weightable search information comprises user-selected quantitative search criteria and user-selected weighting criteria, and the weighting criteria reflect user-defined levels of importance for one or more of the quantitative search criteria. Support for this amendment is found, for example, in the specification as filed at page 7, line 11 to page 9, line 16. Applicants respectfully submit that this amendment does not require an additional search, as it address issues that have been recognized throughout prosecution.

Claim 12 has been amended to correct an obvious typographical error.

REJECTIONS UNDER 35 U.S.C. § 102(e)

In the March 9, 2004 Office Action ("Office Action"), the Examiner repeated the previous rejection of claims 1-20 under 35 U.S.C. § 102(e) as allegedly being anticipated by Levine *et al.* (U.S. Pat. No. 6,233,566) ("Levine"). In response to the Applicants' December 12, 2003 Amendment — in which the Applicants argued that the "weightable" search criteria of claims 1 and 11 included, by definition, both quantitative and qualitative search criteria — the Examiner alleged that Levine still anticipated the original claims under their broadest reasonable interpretation. Furthermore, the Examiner alleged that "the features upon which applicant relies...are not recited in the rejected claim(s)." Office Action at 4.

In reply, the Applicants have amended claims 1 and 11 to specifically recite that the weightable search information “compris[es] user-selected quantitative search criteria and user-selected weighting criteria, the weighting criteria reflecting user-defined levels of importance for one or more of the quantitative search criteria.” This claim language is believed to more clearly indicate that the present invention provides systems and methods that include utilities to make the search information “weightable” — meaning that the client interface offers the users the capability to input both quantitative search variables (such as “at least 15% average annualized return”) *and* user-defined weighting criteria to assign levels of importance to the quantitative search criteria. As explained in the specification, the combined use of quantitative search criteria and weighting criteria provides numerous benefits not found in the prior art, including the ability to provide search results that actually *do not* match the user’s search variables, but are close to meeting the most important of the user’s quantitative search variables, as defined by the user’s weighting criteria. These functions of the present invention are described in detail at page 7, line 11 to page 9, line 16 of the specification and elsewhere in the application.

In contrast to the present invention, Levine discloses a system that allows users to enter particular search criteria (such as “Interest Rate” and “Loan/Value Ratio”) to search a database of available loans and loan packages. Each user can establish rules for setting the search criteria. For example, a user might only be interested in loans having an Interest Rate of 13% or greater, and a Loan/Value Ratio of 115 or less. *See* Levine col. 9, ll. 11-49. Notably, Levine fails to indicate that a user can apply user-defined weighting criteria (*e.g.*, rankings) to these criteria, as the present invention does, to indicate how important each variable is. For example, Levine fails to disclose a system in which a user can indicate that the Interest Rate criterion is *more (or less) important* than the Loan/Value Ratio.

In light of Levine’s failure to disclose a system or method having a client interface with the capability to receive weighted search information comprising user-

selected quantitative search criteria and user-selected weighting criteria, wherein the weighting criteria reflects user-defined levels of importance for one or more of the quantitative search criteria, as recited in claims 1 and 11, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 and 11. For the same reason, Applicants also request reconsideration and withdrawal of the rejection of the remaining claims, claims 2-10 and 12-20, which all depend directly or indirectly from claims 1 and 11.

CONCLUSION

Applicants respectfully submit that the above amendments place the application in condition for allowance or better condition for appeal and do not require an additional search. As such, entry of the amendments, reconsideration of the claim rejections and allowance are respectfully requested. If the Examiner believes that prosecution might be advanced by discussing the application with Applicants' counsel, in person or by telephone, Applicants' counsel would welcome the opportunity to do so.

It is believed that no fees are due with this response. However, in the event any fees are due, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
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